

REMARKS

In the application claims 68-108 remain pending. Claims 82-108 have been added by amendment and are intended to replace claims 1-67 which have been canceled without prejudice. As discussed further below, newly added claims 82-108 find support in the application as filed, and certain of the applications to which priority is claimed, and, as such, no new matter has been added. In addition, claim 68 has been amended to further clarify what is regarded as the invention. Again, no new matter has been added. Finally, claim 72 has been amended to correct a typographical error.

Of the claims pending, claims 72-81 have been indicated to be allowable.

In the Office Action various of the claims were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In response, these claims have been canceled.

Accordingly, it is respectfully requested that this rejection now be withdrawn.

In the Office Action pending claims 64-71 were rejected under 35 U.S.C. § 102 as being anticipated by Yassin (U.S. Patent No. 6,505,780). The reconsideration of this rejection is, however, respectfully requested.

In the rejection of claims 64-71 it was asserted that Yassin discloses a vehicle 1, RFID tag 2, RFID reader 1A, and a profile database 7 that is externally maintained and accessed by a tag profile server. It was further asserted in the rejection of claims 64-71 that the tag profile server and profile database 7 form a “universal remote control.” The rejection of claims 64-71 then asserted that the RFID reader 1A of Yassin [which is associated with what the rejection of the claims is calling “an appliance,” i.e., the automobile] receives the data directly from RFID tag and that it is the “universal remote control,” i.e., the tag profile server and profile database 7, that is then forward the RFID data from the RFID tag reader 1A whereupon the “universal

remote control” functions to recover driver profile data using the data read from the RFID tag (at step 16). Thus, owing to the assertions set forth within the rejection of claims 64-71, it is respectfully submitted that it has thus been acknowledged that Yassin fails to disclose, teach, or suggests a system that includes a universal remote control that directly receives data from an RFID tag and which then forwards such data to an appliance as is claimed. Furthermore, owing to the assertions set forth within the rejection of claims 64-71, e.g., that in Yassin it is the “universal remote control” or tag profile server and profile database 7 that stores and recovers the preferences that have been mapped to an individual driver as represented by the RFID data, it is respectfully submitted that it has thus been acknowledged that Yassin fails to disclose, teach, or suggest a system in which preference data for an individual represented by the data received from the RFID tag is maintained within a memory device of the appliance that is to be configured as is claimed. Accordingly, since the very assertions set forth within the rejection of claims 64-71 evidence that Yassin fails to disclose, teach, or suggest the exact invention that is set forth in claims 64-71, it is respectfully submitted that the rejection of claims 64-71 under 35 U.S.C. § 102 based upon Yassin must be withdrawn.

In the Office Action various of the previously pending claims were rejected under 35 U.S.C. § 103 as being rendered obvious over Yang (U.S. Patent No. 6,133,847) as modified by Qiu (U.S. Published Application No. 2004/0164148). The reconsideration of this rejection as applied to claims 82-108 now pending is, however, respectfully requested.

As concerns claims 82-108 added by amendment, it is respectfully submitted that support for these claims is not only found in the subject application (at, for example, page 11 lines 9+), but also at least in parent application serial no. 10/151,635 - US 2003/0189509 - filed on May 20, 2002 (at, for example, paragraphs 0040 and 0059). Accordingly, as Qui has an earliest priority

date of January 13, 2003, it is respectfully submitted that Qui is not eligible to be applied against claims 82-108 now pending. For this reason, it is respectfully submitted that the rejection of the claims under 35 U.S.C. § 103 based upon the combination of Yang and Qui must be withdrawn without the need to further address the fact that Qui, like Yang, fails to disclose, teach, or suggest the desirability of using a machine readable tag associated with an appliance, such as an RFID tag, in connection with configuring a universal remote control to control operations of an appliance as is claimed.

As further concerns the disclosure within Yang, it is respectfully noted that Yang discloses a system wherein an interface control signal is required to be repeatedly provided to a remote control device in order to configure the remote control device to command operations of an appliance. For example, Yang describes that the interface control signal is to be provided to the remote control device by the appliance that is to be controlled, by a user operating an input key of the remote control that is provided to allow the user to select the appliance to be controlled, i.e., a key used to indicate to the remote control an operational mode, etc. every time it is desired to control a particular appliance using the remote control device. As further described within Yang, the interface control signal is required to be repeatedly provided to the remote control device for the reason that it allows the remote control device to invoke the programming code for a particular appliance which programming code functions to configure the remote control to communicate commands to that particular appliance. (Col. 3, lines 7-14; Col. 9, lines 16-34). Thus, it is respectfully submitted that Yang fails to disclose, teach, or suggest, and in fact teaches away from, a remote control device that, once setup, allows the remote control to be placed into different operational modes and which does not require repeated receiving into the remote control of data used in connection with any type of setup procedure as

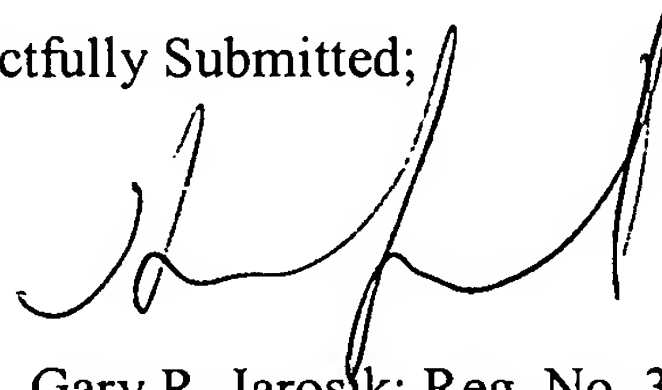
is recited in dependent claims 90, 91, 101, and 104.

In the Office Action various of the previously pending claims were rejected under 35 U.S.C. § 103 as being rendered obvious over Allport (U.S. Patent No. 6,104,334) as modified by von Hoffmann (U.S. Published Application No. 2003/0030542). The reconsideration of this rejection as applied to claims 82-108 now pending is, however, respectfully requested. Specifically, it is respectfully submitted that this rejection has been rendered moot by the cancellation of those claims directed to using data from an RFID tag to configure a remote control in accordance with preferences of a user thus leaving only those claims directed to using data from a machine readable tag associated with an appliance to configure a remote control to command operations of the appliance associated with the machine readable tag against which type of claims the noted references were not applied. For at least this reason it is respectfully requested that this rejection now be withdrawn.

Conclusion

It is respectfully submitted that the application stands in condition for allowance. Should it be determined, however, that some further action is necessary before the application is passed to allowance, the Examiner is respectfully requested to telephone the attorney undersigned.

Respectfully Submitted;



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